

CITY OF BEDFORD HEIGHTS    REGULAR COUNCIL

MAY 20

2008

The City of Bedford Heights Council meeting was held at City Hall, 5661 Perkins Road, on May 20, 2008. Mayor Berger called the meeting to order at 7:35 P.M.

All Present pledged Allegiance to the flag.

Roll Call:	Mayor Berger	Councilwoman Grant
	Councilman Brown	Councilwoman MacKenzie
	Councilman Cody	Councilman Tinker
	Councilwoman Gilliam	Council President Saunders

Absent:            None

Also Present:	Fin. Dir. Cegelka	P/S Dir. Bauccho
	Law Dir. Cirincione	Econ. & Comm. Dev. Dir Divito
	Chief Ledford	Bldg. Comm. Konys
	Cmdr. Kwiatkowski	Comm. Life Dir. Gray
	Asst. Law Dir. Turner	W/R Dir. Pocaro
		Clerk of Council Stahl

**CONSIDERATION OF MINUTES OF PREVIOUS MEETINGS NOT YET APPROVED:**

MOTION by MacKenzie, second Grant to approve the minutes of the May 20, 2008 Regular Council meeting as amended.

Roll Call:	Yeas - Brown, Cody, Gilliam, Grant, MacKenzie, Tinker, Saunders
	Nays - None
	7 yeas - 0 nays
	Motion carried

Mayor Berger requested that Law Dir. Cirincione read Resolution No. 2008-077, a Resolution of appreciation and commendation to Gregory Betts for his years of service as a Metro Park Playground Commissioner in the Department of Community Life in the City of Bedford Heights, in its entirety.

Mayor Berger asked Councilman Cody to join him in presenting Resolution No. 2008-077 to Gregory Betts. Mayor Berger noted that Mr. Betts has been involved in a number of activities in our City and we wish to show appreciation for what people have done on behalf of the City of Bedford Heights. Mr. Betts thanked Mayor and Council for recommending him for this recognition and it has always been his policy to volunteer in whatever capacity he is needed. He said it was a real pleasure to serve as Metro Playground Commissioner for the City of Bedford Heights. Councilman Cody thanked Mr. Betts for giving back to the community and commends him for the six years he spent as Commissioner and is sure he will still be involved in the City.

Mayor Berger administered the Oath of Office to a new auxiliary police officer, Devon Ransom. Mr. Ransom said he prays that he will be able to carry out the duties expected of him by the Police Department and the citizens of Bedford Heights.

Cmdr. Kwiatkowski stated that our auxiliary program are the eyes and ears of the police department. He said he had the opportunity to interview Mr. Ransom and it was a delight to see that a person who lives in the community wants to come back and work in the community. He said it is a great pleasure to have him in the police department.

**CONSENT AGENDA:**

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RESOLUTION NO. 2008-099

Introduced by: Mayor Berger and Council Members Saunders, Brown, Cody, Gilliam, Grant, MacKenzie, Tinker

## A RESOLUTION OF CONDOLENCE FOR THE FAMILY OF SAM GEMELLI.

RESOLUTION NO. 2008-100

Introduced by: Mayor Berger and Council Members Saunders, Brown, Cody, Gilliam, Grant,  
MacKenzie, Tinker

A RESOLUTION OF CONDOLENCE FOR THE FAMILY OF JAMES WILLIE NORRIS, SR.

RESOLUTION NO. 2008-101

Introduced by: Mayor Berger and Council Members Saunders, Brown, Cody, Gilliam, Grant,  
MacKenzie, Tinker

A RESOLUTION COMMENDING ALFRED F. CAPONE FOR HIS MANY YEARS OF DEDICATED PUBLIC SERVICE TO THE CITY OF BEDFORD HEIGHTS.

RESOLUTION NO. 2008-102

Introduced by: Mayor Berger and Council Members Saunders, Brown, Cody, Gilliam, Grant,  
MacKenzie, Tinker

A RESOLUTION CONGRATULATING IRENE JAKUBECZ ON HER 90<sup>TH</sup> BIRTHDAY.

RESOLUTION NO. 2008-107

Introduced by: Mayor Berger and Council Members Saunders, Brown, Cody, Gilliam, Grant,  
MacKenzie, Tinker

A RESOLUTION COMMENDING ROBERT C. NOSKA UPON HIS RETIREMENT AS A VALUED EMPLOYEE OF THE CITY OF BEDFORD HEIGHTS IN THE DEPARTMENT OF WATER RECLAMATION.

MOTION by Grant, second MacKenzie that the rule requiring two readings be waived pursuant to Section 6.06 of the Charter and all items on the Consent Agenda be adopted as presented.

Roll Call: Yeas - Brown, Cody, Gilliam, Grant, MacKenzie, Tinker, Saunders  
Nays - None  
7 yeas - 0 nays  
Motion carried

**CONSIDERATION OF ORDINANCES AND RESOLUTIONS:**

RESOLUTION NO. 2008-103

Introduced by: Mayor Berger and Council Members Saunders, Brown, Cody, Gilliam, Grant,  
MacKenzie, Tinker

A RESOLUTION APPOINTING COUNCILWOMAN KAREN L. GILLIAM AS A COUNCIL REPRESENTATIVE MEMBER OF THE PLAY COMMISSION OF THE CITY OF BEDFORD HEIGHTS.

MOTION by MacKenzie, second Tinker to suspend the rule requiring two readings.

Roll Call: Yeas - Brown, Cody, Gilliam, Grant, MacKenzie, Tinker, Saunders  
Nays - None 7 yeas - 0 nays

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Motion carried

MOTION by MacKenzie, second Tinker to adopt.

Roll Call: Yeas - Brown, Cody, Gilliam, Grant, MacKenzie, Tinker, Saunders  
Nays - None  
7 yeas - 0 nays  
Motion carried

Councilwoman Gilliam thanked the Community Life Committee for recommending that she be appointed as Council representative on what is a newly created commission in the City, the Play Commission, and thanked all of Council for supporting her on this endeavor. She said it is with great privilege that she will serve on this commission, and among the many things we are looking at is partnering with the National Advocacy Organization that promotes play and healthy play structure within the community as a way to help in the development of children.

Mayor Berger said that he is delighted to have Councilwoman Gilliam on this commission and knows that it is something near and dear to her. He said at our last convention, we had the opportunity to talk to some of the people about the Kaboom opportunity and it is good to see it become a reality. He said what Kaboom is is a national organization that allows you to designate your community as a play community. He said in order to do that you have to have certain things in place. He said our Community Life Director, Mrs. Ruth Gray has worked very hard to put together all of the documentation that has to be submitted for this distinguished designation. He said you have to spend a certain amount of dollars on the children in your community. He said you also have to have a city-wide Play Commissioner. Mayor Berger noted that Mr. Betts has been the Play Commissioner in Metro for a number of years and we have actually expanded on that to where we have a number of play areas in our City. He said there is one behind the Corrections Facility, one is at Lucille Reed Park, and one at the Metro Playground. He said we have to also designate those places and you have to designate play areas. He gave an example and said the property across from City Hall belongs to the City. He said if you have children that play in the street on Picone or Price, rather than have them on the streets playing, we could designate that this is a play area. He said we will be doing exciting things for the youth in this community. He said he would like to introduce Mr. Lloyd Anderson, who is going to be our Play Commissioner for the entire City to oversee the play areas that we have. He said we cannot allow the children to go down to Lucille Reed Park to play there unattended and unsupervised.

Mayor Berger noted that Ordinance No. 2008-104, has been pulled.

RESOLUTION NO. 2008-105

Introduced by: Mayor Berger and Council Members Saunders, Brown, Cody, Gilliam, Grant,  
MacKenzie, Tinker

A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR A NOACA GRANT PURSUANT TO NOACA'S NEW FREEDOM PROGRAM, AND DECLARING AN EMERGENCY.

MOTION by Tinker, second Grant to suspend the rule requiring two readings.

Roll Call: Yeas - Brown, Cody, Gilliam, Grant, MacKenzie, Tinker, Saunders  
 Nays - None  
 7 yeas - 0 nays  
 Motion carried

MOTION by Tinker, second Grant to adopt.

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Roll Call: Yeas - Brown, Cody, Gilliam, Grant, MacKenzie, Tinker, Saunders  
Nays - None  
7 yeas - 0 nays  
Motion carried

ORDINANCE NO. 2008-106

Introduced by: Mayor Berger and Council Members Saunders, Brown, Cody, Gilliam, Grant,  
MacKenzie, Tinker

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION IN REGARD TO CERTAIN IMPROVEMENTS TO AURORA ROAD AND NORTHFIELD ROAD, AND DECLARING AN EMERGENCY.

MOTION by Cody, second Grant to suspend the rule requiring two readings.

Roll Call: Yeas - Brown, Cody, Gilliam, Grant, MacKenzie, Tinker, Saunders  
Nays - None  
7 yeas - 0 nays  
Motion carried

MOTION by Cody, second Grant to adopt.

Roll Call: Yeas - Brown, Cody, Gilliam, Grant, MacKenzie, Tinker, Saunders  
Nays - None  
7 yeas - 0 nays  
Motion carried

ORDINANCE NO. 2008-108

Introduced by: Mayor Berger and Council Members Saunders, Brown, Cody, Gilliam, Grant,  
MacKenzie, Tinker

AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 749.04 OF THE CODIFIED ORDINANCES REGARDING THE DUTIES OF THE HOUSING COORDINATOR POSITION, ESTABLISHING A PAY RANGE FOR SAID POSITION, AND DECLARING AN EMERGENCY.

MOTION by MacKenzie, second Brown to suspend the rule requiring two readings.

Roll Call: Yeas - Brown, Cody, Gilliam, Grant, MacKenzie, Tinker, Saunders  
Nays - None  
7 yeas - 0 nays  
Motion carried

MOTION by MacKenzie, second Brown to adopt.

Roll Call: Yeas - Brown, Cody, Gilliam, Grant, MacKenzie, Tinker, Saunders  
 Nays - None  
 7 yeas - 0 nays  
 Motion carried

Mayor Berger thanked Council for passing this Ordinance. He said we have had a number of meetings on this trying to get this right and are at the point where everyone finds this acceptable. He said everyone has heard him talk about returning the Housing Department and the Housing Coordinator to its former self. He said this is a significant step in that direction which will allow him to rebuild the Housing Department so that we will be taking care of a lot of issues that we have in our community as it relates to housing; everything from foreclosures to vacancies, to predatory lending and all of the things that you can mention that is having an impact on us. He said we will be rapidly moving forward to put someone in this position to start dealing with some of the issues. He thanked Council for supporting this effort.

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ORDINANCE NO. 2008-109

Introduced by: Mayor Berger and Council Members Saunders, Brown, Cody, Gilliam, Grant,  
MacKenzie, Tinker

AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 2 OF ORDINANCE NO. 2005-038, AN ORDINANCE TO PROVIDE FOR COMPREHENSIVE SALARIES, WAGE RATES AND OTHER BENEFITS, FOR THE POSITION OF PART-TIME TELEPHONE RECEPTIONIST FOR THE YEAR 2008. AND DECLARING AN EMERGENCY.

MOTION by Saunders, second Brown to suspend the rule requiring two readings.

Roll Call: Yeas - Brown, Cody, Gilliam, Grant, MacKenzie, Tinker, Saunders  
Nays - None  
7 yeas - 0 nays  
Motion carried

MOTION by Saunders, second Brown to adopt.

Roll Call: Yeas - Brown, Cody, Gilliam, Grant, MacKenzie, Tinker, Saunders  
Nays - None  
7 yeas - 0 nays  
Motion carried

Mayor Berger thanked Council for passing this and noted that this is part of the reorganization restructuring that will have an impact on some other positions that is part of the overall restructuring process that he is in the process of implementing.

ORDINANCE NO. 2008-110

Introduced by: Mayor Berger and Council Members Saunders, Brown, Cody, Gilliam, Grant,  
MacKenzie, Tinker

AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 2 OF ORDINANCE NO. 2005-038, AN ORDINANCE TO PROVIDE FOR COMPREHENSIVE SALARIES, WAGE RATES AND OTHER BENEFITS FOR CERTAIN OFFICERS AND EMPLOYEES OF THE CITY OF BEDFORD HEIGHTS, FOR THE YEAR 2008, AND DECLARING AN EMERGENCY.

**MOTION** by Brown, second Saunders to suspend the rule requiring two readings.

Roll Call: Yeas - Brown, Cody, Gilliam, Grant, MacKenzie, Tinker, Saunders  
 Nays - None  
 7 yeas - 0 nays  
 Motion carried

**MOTION by Brown, second Saunders to adopt.**

Roll Call: Yeas - Brown, Cody, Gilliam, Grant, MacKenzie, Tinker, Saunders  
Nays - None  
7 yeas - 0 nays  
Motion carried

### REPORTS OF OFFICERS, BOARDS, COMMISSIONS AND COMMITTEES:

**MAYOR'S REPORT, Mayor Berger:** Mayor Berger said he continues to get more excited about what we are doing with the Family Fun Day. He said June 28<sup>th</sup> will be our Family Fun Day. He said the former function that we had that was known as Community Days is being changed to what will be known as Family Fun Day. He said there are number of reasons why

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this is happening, one is economics, one is that we just feel that there is a need for us to move in a new direction and generate some excitement about the opportunity for people in the community to come together to have some fun. He said we have been spending a lot of money on Community Days. He said he is big on educating the community on dollars and \$63,500.00 is a lot of money to spend on Community Days when you are bringing in \$12,000.00. He said you are down close to \$50,000.00 and he sees a different way that we can do this and that way is for us to give the community a Family Fun Day. He said the City can spend \$15,000.00 and give the kids and the residents free food. He said we can put rides out, put games out, open up the Community Center and we can do a lot of the things that will allow you to be able to enjoy what is going on in the community. He said fireworks is something that we all love, but we just don't have \$20,000.00 to shoot up in fireworks this year and we are not going to do that. He said there are fireworks all around us at Chanel, Solon or Cleveland. He said he would like the communities that surround us to start to think about the regional sharing of this. He said every community does not have to be in competition with each community to see who can shoot off the most fire in the sky. He said we are doing things a little differently and is going to ask everyone to be supportive and bear with us and help make this a big success. He said we have our meetings on Thursdays at the Community Center at 6:00 P.M. He said Dir. Gray and her staff and volunteers are working very hard on this but we need your volunteerism to make this a success. He said it will be a fun event and we will be putting out some of the information soon. He said some people that are here tonight are volunteers and thanked them for that and encouraged everyone else to become participants.

Mayor Berger said we will be putting an elevator in this building with a partial grant from the County. He said it will be about \$300,000.00 and we will get about \$150,000.00 from the County to be able to put that elevator in and we want this to be more accessible to everyone. Mayor Berger said he wants everyone to know that baseball is back and our first game is on Monday, June 2<sup>nd</sup> at 6:00 P.M. He said he is trying to encourage the adults, children and everyone to come out for an opening game day. He said we want the children to feel the appreciation that we have for them in the community. He stated that we will put schedules out so you will know what is going on. Mayor Berger announced that on Monday, May 26<sup>th</sup> we will be having our Veteran's Memorial Day monument dedication in front of City Hall. He said it will be an hour long celebration and we want you to come out. He noted that we have attempted to reach everyone who has purchased a brick and the Veterans. He said we are trying to do community related events to get some energy back into the citizen participation.

**SAFETY COMMITTEE, Chairman Brown:** Chairman Brown recognized Mr. Ransom and thanked him for volunteering to give back to the City by serving on the auxiliary forces. He said he received a phone call from the Owens family, who lost their son Officer Derek Owens, and they wanted to express their appreciation to the City of Bedford Heights, the citizens, the Mayor, Council, and the Safety forces. He asked Law Dir. Cirincione to read the thank you card that we received from the family. Mayor Berger commented that our Police Department and our Service Department performed exceptionally well during that difficult time and he was appreciative of all that was done.

**FINANCE COMMITTEE, Chairman Saunders:** Chairman Saunders reported that a joint meeting was held by the Finance Committee and the Building & Housing Committee on Monday, May 12, 2008 at 6:00 P.M.

**COMMUNITY LIFE COMMITTEE, Chairwoman MacKenzie:** Chairwoman MacKenzie reported that the youth mentoring for young women will have their meeting tomorrow, May 21<sup>st</sup> at 6:30 P.M. at the Community Center. She said this is the weekend for Pampering Her Day, which will be on Sunday, May 25<sup>th</sup>, R.S.V.P. by May 22<sup>nd</sup>. The cost is \$50.00 per person and \$90.00 for two. She said this is the opportunity for women to come out to the Community Center, use the whirlpool, sauna, go swimming and join the exercise program, get your nails

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done, have a facial and light refreshments. Chairwoman MacKenzie reported that everyone should be receiving their spring/summer booklet in the mail for activities at the Community Center.

**PLANNING COMMISSION, Chairman Berger:** Chairman Berger reported that there will be a Planning Commission meeting on June 10<sup>th</sup> at 5:00 P.M.

**INFRASTRUCTURE & CAPITAL IMPROVEMENTS COMMITTEE, Chairman Cody:**  
Chairman Cody reported that a meeting was held on May 14<sup>th</sup> to discuss the 2008 Road Resurfacing Program.

Roll Call: Yeas - Brown, Cody, Gilliam, Grant, MacKenzie, Tinker, Saunders  
Nays - None  
7 yeas - 0 nays  
Motion carried

**LEGISLATIVE/EDUCATION COMMITTEE, Chairwoman Gilliam:** Chairwoman Gilliam reported that the committee met on May 15<sup>th</sup>, minutes to follow.

**ECONOMIC & COMMUNITY DEVELOPMENT COMMITTEE, Chairman Tinker:** Chairman Tinker reported that the committee met yesterday and one thing that was on the agenda is the additional staffing. He said he has always advocated that we needed help in the Economic & Community Development Department.

**CABLE TELEVISION COMMITTEE, Chairman Brown:** Chairman Brown announced that we have a new program which is featuring some of our senior citizens and senior issues dealing with personal safety, predatory lending, predators on the street, senior housing and another special part, whether you are a Veteran of the Viet Nam War, World War II or the Gulf War, there is a part of the program that deals with Veteran's benefits. He said for those of you who are Veterans, you will be surprised of some the benefits that you are entitled to as long as you served in the service at least 90 days of active duty. He said if you have need additional information, contact Bill Starkey in the senior office. He noted that the Cable T.V. Advisory Committee will meet on May 27<sup>th</sup> at 7:00 P.M.

**COMMITTEE OF THE WHOLE, Council President Saunders:** Council President Saunders reported that the Committee of the Whole started at 6:00 P.M. and the Council meeting began at 7:30 P.M. Our next Council meeting will be held Tuesday, June 3, 2008 with Committee of the Whole starting at 6:00 P.M. and the Council meeting starting at 7:30 P.M. He acknowledged employee birthdays, Gregory Betts on May 21<sup>st</sup>; Chief Kalavsky, May 28<sup>th</sup>; City Hall will be closed on May 26<sup>th</sup> for Memorial Day. He said the Memorial Day Parade is in the City of Bedford and starts at 10:00 A.M. from Bedford City Hall to the cemetery in Bedford. He announced that the Veteran's Memorial Dedication will be Monday, May 26<sup>th</sup> at 2 P.M. in front

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of City Hall, rain or shine. He noted that a lot of work has been put into this by our previous Mayor and our current Mayor along with Council and staff. Council President Saunders said that along with the elevator that we are going to be getting hopefully in the very near future, he said there are two more phases coming in. He said that phase two will be the replacement of the orange carpet, phase three will be the seat recovering and an area for the directors to sit.

Mayor Berger commented that we as City Officials represent you and when people come to this place, they come expecting to see who we are. He said we are working hard to make City Hall and everything around here reflect what we expect that you expect of us.

**UNFINISHED BUSINESS:**

No Report.

**NEW BUSINESS:**

No Report.

**MISCELLANEOUS:**

Mayor Berger reported that the School Board meeting will be held here in Council Chambers on Monday, June 2<sup>nd</sup> at 7:00 P.M.

**INTRODUCTION OF DELEGATIONS OR CITIZENS WISHING TO APPEAR BEFORE COUNCIL:**

Everett Pennyman, 25040 Randolph Road, commented about a problem with traffic running stop signs on both corners of Randolph and Ridgeway.

**ADJOURNMENT:**

MOTION by Grant, second MacKenzie to adjourn the Council meeting at 8:28 P.M.

Roll Call:	Yeas - Brown, Cody, Gilliam, Grant, MacKenzie, Tinker, Saunders
	Nays - None
	7 yeas - 0 nays
	Motion carried

APPROVED: \_\_\_\_\_  
Mayor Fletcher D. Berger

ATTEST: \_\_\_\_\_

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Council	Patricia F. Stahl, Clerk of